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Chairman Thiesfeldt and Members of the Committee,

Thank you for the opportunity to testify today on Assembly Bill 329, relating to prohibiting aiding and abetting sexual abuse.

AB 329 is a federal requirement for states under the Every Student Succeeds Act, or ESSA. This policy, commonly referred to as “pass the trash” in other states, will prevent schools from helping educators find new jobs if there is reasonable suspicion to believe they committed a sex crime with a minor or pupil. At least six other states – Connecticut, Texas (both in response to ESSA’s directive), Michigan, Missouri, Oregon and Pennsylvania – have implemented a similar policy.

While our schools are supposed to be safe, nurturing environments for young children to grow and learn, that isn’t always the case. We have all heard heartbreaking stories of educators taking advantage of children at school, and later obtaining recommendations to transfer to other educational environments. While it is inexcusable to knowingly enable sexual predators in this way, schools may be leery of drawing negative attention to their institutions, thus brushing such misconduct under the rug and helping offenders find positions elsewhere. We cannot tolerate “passing the trash” here in Wisconsin.

Currently, the state superintendent can revoke an educator’s license for immoral conduct. This bill simply expands “immoral conduct” in current law to include helping a school employee, contractor or agent find a new job if there is reason to believe that individual committed a sex offense with a minor or student. AB 329 clarifies that a license can be revoked for aiding a person in this manner. Exceptions to aiding and abetting include transferring administrative or personnel files and information, or for recommending a person who has previously been suspected of a sex offense but whose case has been investigated and closed by law enforcement without a conviction.

It is my hope that the committee support this federal requirement to help ensure our kids have a safe environment while at school. Thank you again for the opportunity to testify.

Representative Cindi Duchow